

The Honorable James L. Robart

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BARRY P. JOHNSON,
BARRY N. JOHNSON,
SCOTT J. JOHNSON,
JOHNSON INTERNATIONAL, LLC, and
SNOHOMISH COUNTY,

Defendants.

Case No. 2:24-cv-00139-JLR

**STIPULATED MOTION TO
EXTEND TIME FOR ALL
DEFENDANTS TO RESPOND TO
PLAINTIFF'S COMPLAINT**

**Note on Motions Calendar:
March 13, 2024**

The United States of America, Barry P. Johnson, Barry N. Johnson, Scott J. Johnson, Johnson International, LLC, and Snohomish County hereby agree and stipulate as follows:

1. The United States filed its complaint in this case on February 2, 2024. *See* Dkt. #1.
2. On February 28, 2024, Barry P. Johnson was served with the summons and complaint. Dkt. #6. Under Federal Rule of Civil Procedure 12, Barry P. Johnson would have until March 20, 2024 to respond to the complaint.

3. On February 29, 2024, Barry N. Johnson was served with the summons and complaint. Dkt. #7. Under Federal Rule of Civil Procedure 12, Barry N. Johnson would have until March 21, 2024 to respond to the complaint.
4. On February 28, 2024, Scott J. Johnson was served with the summons and complaint. Dkt. #8. Under Federal Rule of Civil Procedure 12, Scott J. Johnson would have until March 20, 2024 to respond to the complaint.
5. On February 28, 2024, Johnson International, LLC was served with the summons and complaint. Dkt. #9. Under Federal Rule of Civil Procedure 12, Johnson International, LLC would have until March 20, 2024 to respond to the complaint.
6. On February 27, 2024, Snohomish County was served with the summons and complaint. Dkt. #10. Under Federal Rule of Civil Procedure 12, Snohomish County would have until March 19, 2024 to respond to the complaint.
7. The parties are currently working together to reach a settlement of this action. To potentially avoid incurring additional litigation expenses, the parties need more time to informally exchange information and to negotiate before the defendants must respond to the complaint.
8. The parties thus stipulate and agree to extend the deadline to respond to the complaint for all of the defendants until May 13, 2024.
9. A proposed order is attached for this Court's consideration.

(Signatures on next page)

1 DATED: March 13, 2024

DAVID A. HUBBERT
Deputy Assistant Attorney General

2
3 /s/ Samuel Holt
SAMUEL HOLT
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683
Tel: (202) 307-2279
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Samuel.Holt@usdoj.gov

8 *Attorney for the United States of America*

9 DATED: March 13, 2024

10 /s/ Alex J. Witenberg
ALEX J. WITENBERG
Deputy Prosecuting Attorney
Snohomish County Prosecuting Attorney – Civil
Division
3000 Rockefeller Ave., M/S 504
Everett, Washington 98201
Tel: (425) 388-6343
Fax: (425) 388-6333
Alex.Witenberg@snoco.org

15 *Attorney for Snohomish County*

16
17 DATED: March 13, 2024

/s/ Barry P. Johnson
BARRY P. JOHNSON

18
19 DATED: March 13, 2024

/s/ Barry N. Johnson
BARRY N. JOHNSON

20
21 DATED: March 13, 2024

/s/ Scott J. Johnson
SCOTT J. JOHNSON

22
23
24 DATED: March 13, 2024

/s/ Barry P. Johnson
BARRY P. JOHNSON
Registered Agent for Johnson International, LLC

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2024, I filed this Stipulated Motion and Proposed Order with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Alex J. Witenberg (Alex.Witenberg@snoco.org)
Attorney for Snohomish County

I further certify that on the same date, I caused a true and complete copy of the foregoing document to be served by first-class mail, postage prepaid, to the following parties at the following addresses:

Barry P. Johnson
11426 31st Drive SE
Everett, WA 98208

Barry N. Johnson
13725 Lost Lake Road
Snohomish, WA 98296

Scott J. Johnson
11426 31st Drive SE
Everett, WA 98208

Johnson International, LLC
c/o Barry P. Johnson
11426 31st Drive SE
Everett, WA 98208

/s/ Samuel Holt
SAMUEL HOLT
Trial Attorneys, Tax Division
U.S. Department of Justice

The Honorable James L. Robart

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UNITED STATES OF AMERICA,

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SNOHOMISH COUNTY,

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Case No. 2:24-cv-00139-JLR

~~[PROPOSED]~~ ORDER GRANTING
STIPULATED MOTION TO EXTEND
TIME FOR ALL DEFENDANTS TO
RESPOND TO PLAINTIFF'S
COMPLAINT

**Note on Motions Calendar:
March 13, 2024**

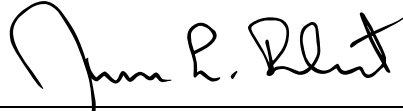
ORDER

The Stipulated Motion to Extend Time for all Defendants to Respond to Plaintiff's Complaint was filed by: the United States of America, Barry P. Johnson, Barry N. Johnson, Scott J. Johnson, Johnson International, LLC, and Snohomish County.

Upon consideration of the Stipulated Motion and for good cause shown, IT IS HEREBY ORDERED that the Stipulated Motion is GRANTED such that all the defendants have until May 13, 2024 to respond to plaintiff's complaint.

1 IT IS SO ORDERED.

2 Dated this 13th day of March, 2024.

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5 JAMES L. ROBART
6 UNITED STATES DISTRICT JUDGE

7 *Presented by:*

8 DAVID A. HUBBERT
9 Deputy Assistant Attorney General

10 /s/ Samuel Holt
11 SAMUEL HOLT
12 Trial Attorney, Tax Division
13 U.S. Department of Justice
14 P.O. Box 683
15 Ben Franklin Station
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20 *Attorney for the United States of America*